IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.52651 of 2007
TRILOKI YADAV
Versus
THE STATE OF BIHAR

03/ 06.05.2008 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner is an accused for offences punishable under sections 364/34 of the Penal Code.

Learned counsel for the petitioner submits that the entire allegation is false and frivolous and the petitioner had no hand in the kidnapping of the alleged victim, who was a veteran criminal and five cases against him have been mentioned in paragraph 71 of the case-diary, which includes cases of murder, abduction etc. He further submits that the alleged victim might have fled away or might have been killed by his enemies and the petitioner has been falsely implicated in the instant case as his father had filed Complaint Case No.528-C/1982 against the alleged victim and others for offences punishable under sections 143 and 379 of the Penal Code. He also submits that Sikandara P.S. Case No. 120 of 1989 was lodged by petitioner's brother Ishwar Yadav against the victim and others for offences punishable under sections 147, 148, 149, 427 and 364 of the Penal Code as the petitioner himself was kidnapped by the accused persons including the alleged victim and he had given his statement under the provision of section 164 of the Penal Code. He further states that other co-accused persons, namely, Govind Yadav and Sanjay Yadav against whom also there were similar allegations, have been

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enlarged on bail on the order of this Court dated 05.10.2007 passed in Cr. Misc. No. 40752 of 2007. He also avers that the petitioner is in custody since 05.01.2007.

Considering the facts and circumstances of the case, this petition for bail is allowed. Accordingly, let the sole petitioner, namely, Triloki Yadav be admitted to bail on executing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned F.T.C. 3rd, Jamui, in connection with Sessions Trial No. 192/07 arising out of Sikandra P.S. Case No. 69 of 2004.

MPS/ **(S. N. Hussain, J.)**

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